

**ZB# 04-01**

**Nicholas Ronsini**

**6-1-32**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 1-26-04*

ZBA #04-01 RONSINI, NICHOLAS  
546 TEMPLE HILL RD - AREA - 6-1-32

Nicholas Ronsini 562-9024



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## OFFICE OF THE ZONING BOARD OF APPEALS

March 15, 2004

Nicholas Ronsini  
546 Temple Hill Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-01 (6-1-32)

Dear Mr. Ronsini:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 6-1-32

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

NICHOLAS RONSINI, JR.

AREA

CASE #04-01

**WHEREAS, Nicholas Ronsini, Jr. ,** owner(s) of 546 Temple Hill Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 7 ft. Maximum Building Height (48-14 A(1)(2) for proposed garage at 546 Temple Hill Road in an R-4 Zone and;

**WHEREAS,** a public hearing was held on January 26, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS,** the Applicant appeared on behalf of this Application; and

**WHEREAS,** there were no spectators appearing at the public hearing; and

**WHEREAS,** no one spoke in favor of or in opposition to the Application; and

**WHEREAS,** a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS,** the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties.
  - (b) The applicant seeks to erect a pole barn type garage on his property to house certain equipment and vehicles.

- (c) The height of one of the vehicles which the applicant seeks to house will cause the building to be higher than the maximum height normally allowed in an R-4 zone.
- (d) The garage will not be erected over any easements including, but not limited to, water, sewer or utility easements.
- (e) Other than the height of the building, it will be similar in size and appearance to other structures in the neighborhood.
- (f) In constructing the barn there will be no substantial trees or vegetation that will be removed other than a single small tree or bush.

**WHEREAS**, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

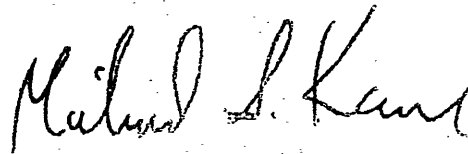
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 7 ft. Maximum Building Height (48-14 A(1)(2) for proposed garage at 546 Temple Hill Road in an R-4 Zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: January 26, 2004

A handwritten signature in cursive script, appearing to read "Michael S. Kaur", is written above a horizontal line.

Chairman

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: MARCH 1, 2004**  
**SUBJECT: ESCROW REFUND - RONSINI**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-01**

**NAME & ADDRESS:**

**Nicholas Ronsini, Jr.  
546 Temple Hill Road  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.03-01-04**





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-01      TYPE: AREA

APPLICANT Name & Address:

**Nicholas Ronsini, Jr.  
546 Temple Hill Road  
New Windsor, NY 12553**

TELEPHONE:      562-9024

RESIDENTIAL:	\$ 50.00	CHECK #827
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:              RESIDENTIAL \$300.00              CHECK #828

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<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$5.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>3</u> PAGES	<u>\$16.50</u>	<u>\$ 35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u> PAGES	<u>\$ _____</u>	<u>\$ _____</u>
PUBLIC HEARING:	<u>3</u> PAGES	<u>\$16.50</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	<u>   </u> PAGES	<u>\$ _____</u>	<u>\$ _____</u>
TOTAL:		<u>\$33.00</u>	<u>\$ 70.00</u>

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ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	\$ <u>103.00</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ <u>197.00</u>

L.R. 03-01-04

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: December 16, 2003**

**APPLICANT: Nicholas & Juanita Ronsini  
546 Temple Hill Rd  
New Windsor, NY 12553**

**COPY**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: December 16, 2003**

**FOR : Accessory Building**

**LOCATED AT: 546 Temple Hill Rd**

**ZONE: R-4 Sec/Blk/ Lot: 6-1-32**

**DESCRIPTION OF EXISTING SITE: 546 Temple Hill Rd**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. 48-14 A(1)(2) An accessory building shall not exceed 15 feet in height – proposed garage is 22 ft high.**

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4    USE: Accessory  
Garage

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

15'

22'

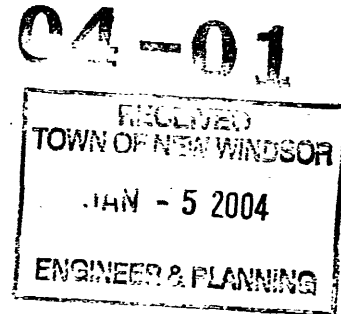
7'

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

## ZONING BOARD

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

COPY

DEC 18 2003

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: PA 7003-1524

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises NICHOLAS A. JR + JUANITA RONSINI

Address 546 TEMPLE HILL RD Phone # 562-9024

Mailing Address NEW WINDSOR N.Y. 12553 Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor OWNER

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_  
(Name and title of corporate officer)

1. On what street is property located? On the NORTH side of TEMPLE HILL RD.  
(N,S,E or W)  
and 30 FT feet from the intersection of TEMPLE HILL RD + UNION AVE

2. Zone or use district in which premises are situated R-4 Is property a flood zone? Y \_\_\_\_\_ N ✓

3. Tax Map Description: Section 006 Block 001 Lot 032

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy RESIDENCE b. Intended use and occupancy POLE BARN (STORAGE)

5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front 30 FT Rear 30 FT Depth 40 FT Height 22 FT <sup>PEAK</sup> No. of stories 1

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \$7,000

Fee UP# 825  
50 dtd 12/16/03

**PAYED**

12 16 103  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Michael Rossini & Juanita Rossini 546 TEMPLE HILL RD  
(Signature of Applicant) (Address of Applicant)

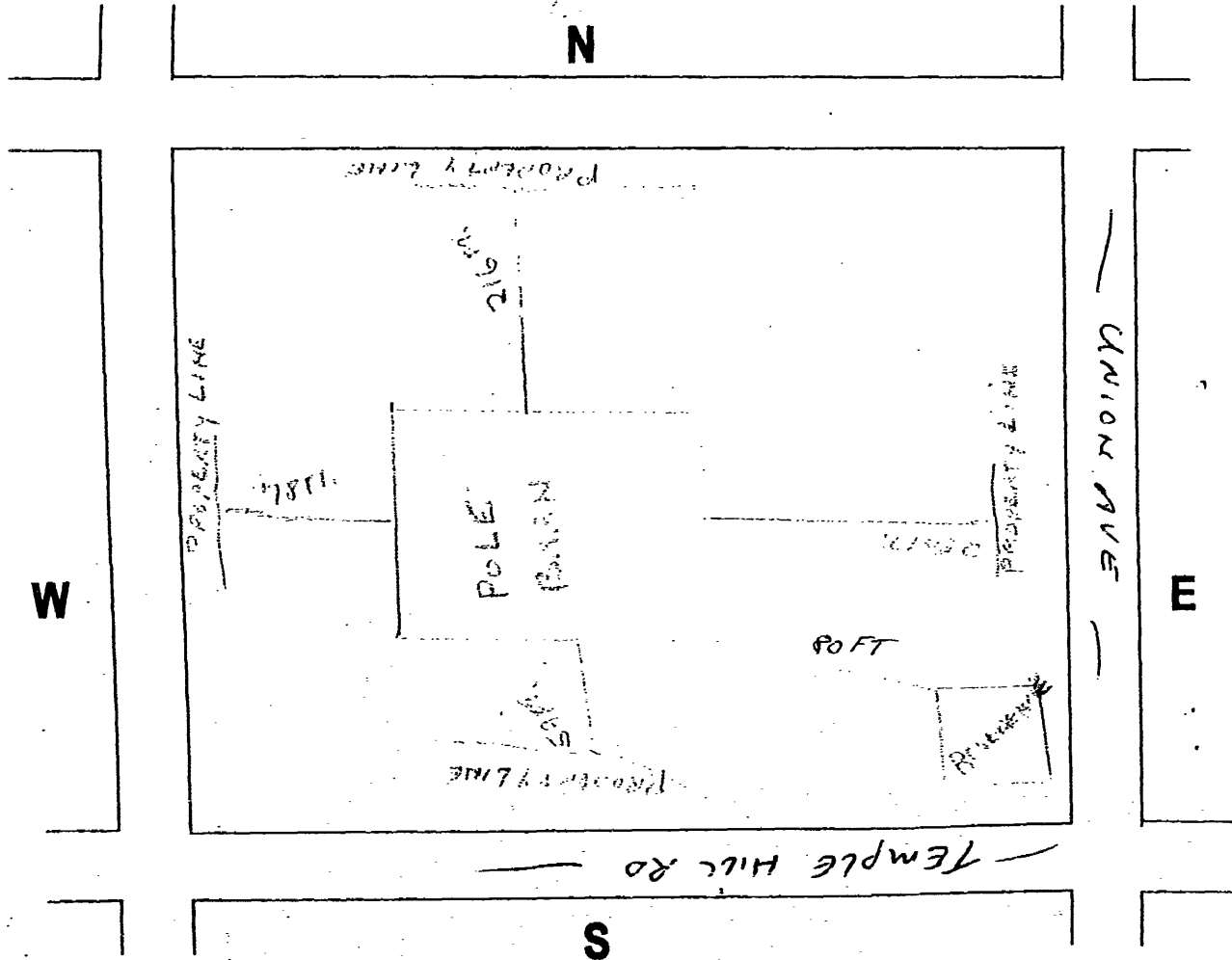
Michael Rossini & Juanita Rossini SAME

(Owner's Signature)

(Owner's Address)

# PLOT PLAN

**NOTE:** Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SECTION 4

TEMPLE  
STATE

HWY. HILL  
300 RD.

N540.500  
E878.000

NEW WINDSOR WATER

DISTRICT NO. 6

N. ROUNSHILL  
SUB

MAP 6892

UNION

33  
2.1A

32  
2.1A

27  
116.8

26.3  
146.7

25  
100

24.2  
109.7

26.4  
23  
1A(C)

21.2

62.8  
75  
22.2  
62.8  
57

237

31

125.7

151.2

136.6

209

100

117

38

172

158.9

136.7

195.6

50.2

93.2

250

80

33

23

105

174

155.4

109.7

124.1

105

120

301.5

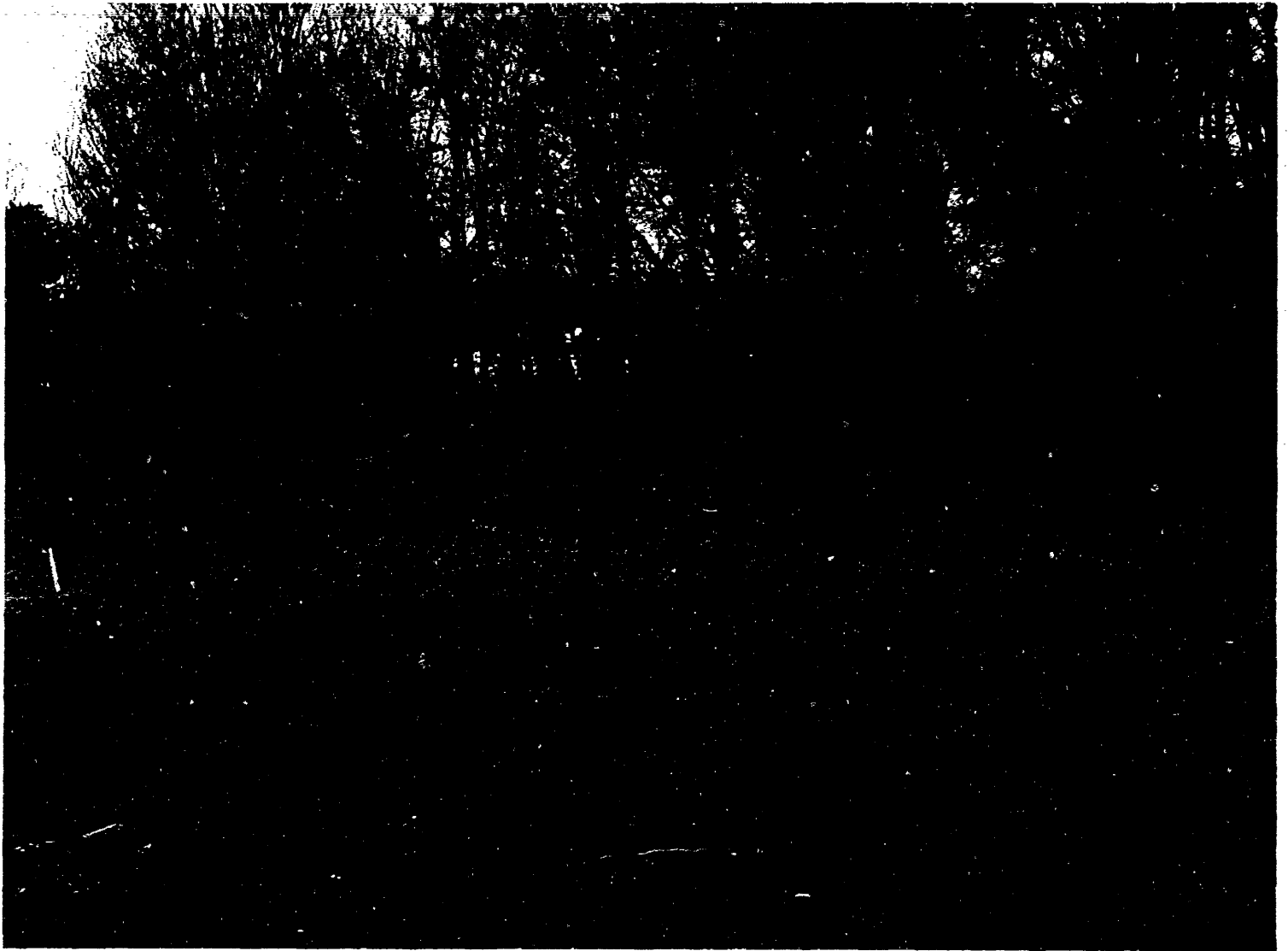
120

57



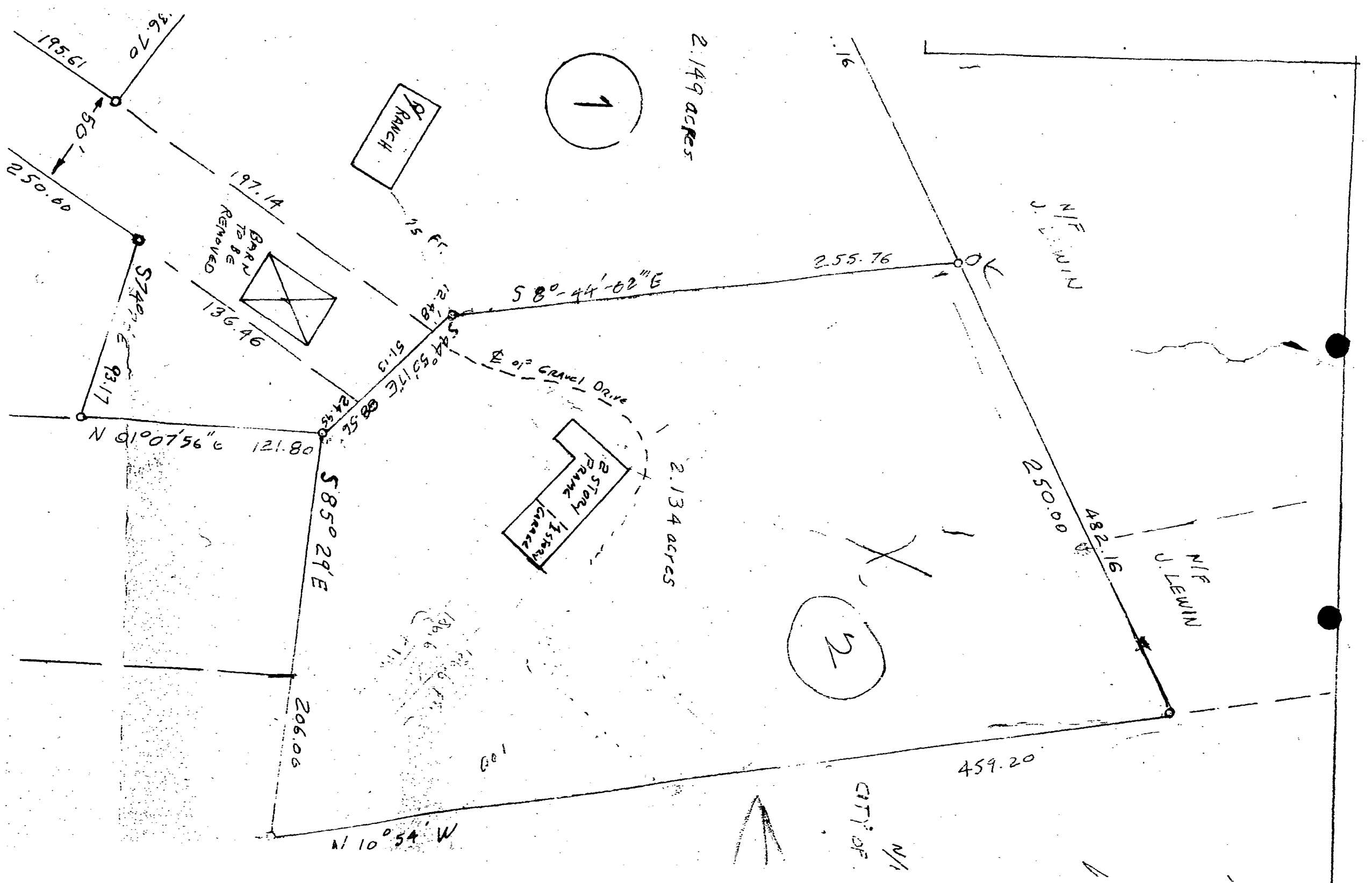


DSCN0090.JPG 2003/12/25 01:46:57









NICHOLAS RONSINI, JR (04-01)

Mr. Nicholas Ronsini, Jr. appeared before the board for this proposal.

MR. REIS: Request for 7 ft. maximum building height (48-14 A(1)(2) for proposed garage at 546 Temple Hill Road in an R-4 zone.

MR. RONSINI: Good evening.

MR. REIS: Tell us what you want to accomplish.

MR. RONSINI: I want to erect a pole barn type garage on my property to house some land equipment that I use, a plow, tractor and I want one bay to house my RV travel trailer and I need a variance for extended height. Without the extended height, I wouldn't be able to get the RV enclosed.

MR. MC DONALD: Be nice to get it out of your driveway.

MR. RONSINI: Exactly.

MR. MC DONALD: This pole barn is not going to be over any easements?

MR. RONSINI: No.

MR. MC DONALD: Sewer, water anything like that?

MR. RONSINI: No.

MR. MC DONALD: How high is it going to be?

MR. RONSINI: Twenty-two feet at the peak, 40 x 30.

MR. KRIEGER: Other than height, it will be similar in size and appearance to other structures in the neighborhood?

MR. RONSINI: Yes, it's going to be right alongside my home, I think on the schematic I gave you there you can see the driveway, my house is on one side of the driveway and this proposed building is going to be on the opposite side and we're about 4 or 500 feet off the main highway which is Temple Hill Road, so it's not going to be even hardly seen from the street.

MR. RIVERA: Will you be cutting down any trees or vegetation?

MR. RONSINI: There's only one tree that I have to take out, just one a small tree or a bush really but--

MR. REIS: I'd like to open this up to the public, anybody like to make any comments about this hearing? Anyone? Close the public hearing. In constructing this, Nick, will you be diverting the flow of water?

MR. RONSINI: No, there's no problem with water. I have drainage right in front of the building that's going to be piped.

MR. MC DONALD: All pretty flat back there anyway.

MR. RONSINI: Yes, real flat.

MR. REIS: Any other questions?

MR. RIVERA: Accept a motion?

MR. REIS: One second.

MS. MASON: On the 13th day of January, 32 addressed envelopes were mailed out public hearing notice with no responses.

MR. REIS: Thank you. Accept a motion.

January 26, 2004

37

MR. RIVERA: Yes, Mr. Chairman, I move we grant Mr. Nicholas Ronsini, Jr. the requested for the 7 foot maximum building height for the proposed garage at 546 Temple Hill Road in the R-4 zone.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE





RESULTS OF Z.B.A. MEETING OF: January 26, 2004  
PROJECT: Nicholas Ronsini, Jr. ZBA # 04-01  
P.B.#



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

NEGATIVE DEC: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

PUBLIC HEARING: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

APPROVED: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) S) VOTE: A N  
RIVERA  
MCDONALD CARRIED: Y N  
REIS  
MINUTA  
KANE

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) Riv S) MC VOTE: A 3 N 0.

RIVERA A  
MC DONALD A  
REIS A  
MINUTA  
KANE

CARRIED: Y ☒ N

*No Public Comment*

NICHOLAS RONSINI, JR. (04-01)

MR. KANE: Request for 7 ft. maximum building height 48-14 A(1)(2) for proposed garage at 546 Temple Hill Road in an R-4 zone.

Mr. Nicholas Ronsini appeared before the board for this proposal.

MR. KANE: Tell us what you want to do and speak loud enough for the young lady to hear you.

MR. RONSINI: I want to build a pole barn 30 x 40 with a maximum height of 22 feet whereas I can put my land implements in there, plus my RV, my RV is 34 feet long and approximately 13 feet high and the variance would allow me to get the RV inside the building.

MR. KANE: Everything else this fits in, Mike?

MR. BABCOCK: Yes.

MR. KANE: With the height of the building on Union Avenue and Temple Hill Road, not going to be obstructing any traffic in any way?

MR. RONSINI: Oh, no, the piece of property sets approximately 500 feet off the highway.

MR. BABCOCK: If you don't stop and actually look, you won't even see this building from the road.

MR. KANE: Going to be cutting down any trees or substantial vegetation with the building of this?

MR. RONSINI: Nothing. One tree, one tree.

MR. KANE: Creating any water hazards or runoffs?

MR. RONSINI: No.

MR. RIVERA: Is there an existing barn there now?

MR. RONSINI: No.

MR. REIS: Do you have easements going through the property in that area?

MR. RONSINI: No.

MR. RONSINI: Closest neighbor is my father, if you see the sketch in the front house the building would be on my property, but it would be hidden by his house, from the highway, you couldn't even see the building.

MR. MINUTA: It says here barn to be removed.

MR. RONSINI: That was an old, when we first built up there, 1980's, I used that.

MR. KANE: This is your home right here, sir?

MR. RONSINI: Yes, sir.

MR. KANE: And where is the barn going to be in conjunction with this?

MR. RONSINI: Right over here.

MR. KANE: And your access is?

MR. RONSINI: Off Temple Hill Road.

MR. KANE: Gentlemen, do you have any further questions?

MR. MINUTA: Accept a motion?

MR. KANE: I will.

January 12, 2004

13

MR. MINUTA: Propose that we request Nick Ronisini to attend a public hearing for requested 7 foot maximum building height for proposed dwelling at 546 Temple Hill Road in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: January 12, 2004

PROJECT: Nicholas Bonsire, Jr. ZBA # 04-01  
P.B.# \_\_\_\_\_



USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) Min S) RS VOTE: A 4 N 0  
RIVERA A  
~~MCDONALD~~ A  
REIS A  
MINUTA A  
KANE A  
CARRIED: Y ☒ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES \_\_\_\_\_

VARIANCE APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_.

RIVERA \_\_\_\_\_  
MC DONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
MINUTA \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_.

No Easements

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

NICHOLAS RONSINI, JR.

AFFIDAVIT OF  
SERVICE  
BY MAIL

#04-01

-----X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 13TH day of JANUARY, 2004, I compared the 32 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason

Myra L. Mason, Secretary

13<sup>th</sup> day of January, 2004

J. J. Mead (Gallagher)  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#45-2004**

01/13/2004

Ronsini, Nicholas

Received \$ 30.00 for Assessors List, on 01/13/2004. Thank you for stopping  
by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

**Appeal No. 04-01**

**Request of NICHOLAS RONSINI, JR.**

**for a VARIANCE of the Zoning Local Law to Permit:**

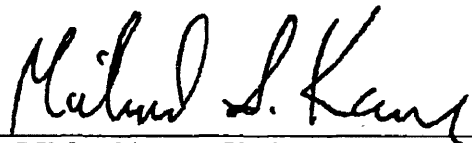
**Request for 7 ft. Maximum Building Height for proposed garage in an R-4 Zone**

**being a VARIANCE of Section (48-14 A(1)(2))**

**for property located at: at 546 Temple Hill Road**

**known and designated as tax map Section 6 Block1 Lot 32**

**PUBLIC HEARING will take place on JANUARY 26, 2004**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in black ink, reading "Michael S. Kane". The signature is written in a cursive style with a horizontal line underneath the name.

**Michael Kane, Chairman**



# TOWN OF NEW WINDSOR

## REQUEST FOR NOTIFICATION LIST

DATE: 01-13-04PROJECT NUMBER: ZBA# 04-01 P.B. # \_\_\_\_\_APPLICANT NAME: NICHOLAS RONSINI

PERSON TO NOTIFY TO PICK UP LIST:

NICHOLAS RONSINI  
546 TEMPLE HILL ROAD  
NEW WINDSOR, NY 12553

TELEPHONE: 562-9024

TAX MAP NUMBER:	SEC. <u>6</u>	BLOCK <u>1</u>	LOT <u>32</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	BLOCK _____	LOT _____

PROPERTY LOCATION: 546 TEMPLE HILL ROAD  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:

(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
 OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXXLIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 829

TOTAL CHARGES: \_\_\_\_\_



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

January 13, 2004

Nicholas Ronsini, Jr.  
546 Temple Hill Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-01

Dear Mr. Ronsini:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

546 Temple Hill Road  
New Windsor, NY

is scheduled for the January 26, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessor's Office

January 13, 2004

Nicholas Ronsini  
546 Temple Hill Road  
New Windsor, NY 12553

Re: 6-1-32                      ZBA#04-01

Dear Mr. Ronsini:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$55.00, minus your deposit of \$25.00.

Please remit the balance of \$30.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA

4-1-10 & 4-1-12.2

Newburgh Water Supply  
C/o City Comptroller City Hall  
Newburgh, NY 12550

6-1-10

Stacey Gilmore  
24 Clarkview Road  
New Windsor, NY 12553

6-1-20.1

Sebastiano & Adriana Giordano  
606 Union Avenue  
New Windsor, NY 12553

4-1-11.1

John Pizzo Enterprises, LLC  
53 Route 17K  
Newburgh, NY 12550

6-1-11

John & Ellen Walsh  
26 Clarkview Road  
New Windsor, NY 12553

6-1-20.2

Nicholas & Isabelle Scaglione  
608 Union Avenue  
New Windsor, NY 12553

4-1-11.2

DA Associates, LLC  
PO Box 7396  
Newburgh, NY 12550

6-1-12

Benny & Nancy Almodovar  
28 Clarkview Road  
New Windsor, NY 12553

6-1-21.2

Eileen McDougall  
614 Union Avenue  
New Windsor, NY 12553

4-2-1

Richard & Renee Prestipino  
14894 Crescent Cove Drive  
Fort Myers, FL 33908

6-1-13

Janette Hyzer  
30 Clarkview Road  
New Windsor, NY 12553

6-1-22.2

Harry & Dorothy Simpson  
616 Union Avenue  
New Windsor, NY 12553

4-2-2

August Associates, Inc.  
PO Box 829  
Wappingers Falls, NY 12590

6-1-14

Larry Sweney  
32 Clarkview Road  
New Windsor, NY 12553

6-1-23 & 6-1-26.4

Jose Ramirez  
618 Union Avenue  
New Windsor, NY 12553

4-2-3.11

Eugene Lois  
PO Box 829  
Wappingers Falls, NY 12590

6-1-15

Raphael & Carol Van Voorhis  
34 Clarkview Road  
New Windsor, NY 12553

6-1-24.1 & 6-1-24.2

Wilson & Maricelis Rosa  
628 Union Avenue  
New Windsor, NY 12553

4-2-3.12

K-C Development Corp.  
520 Temple Hill Road  
New Windsor, NY 12553

6-1-16

Richard & Patricia Jennings  
36 Clarkview Road  
New Windsor, NY 12553

6-1-25

Mario & Ruth Ronsini  
630 Union Avenue  
New Windsor, NY 12553

4-3-10.12

Scenic Properties, LLC  
335 Temple Hill Road  
New Windsor, NY 12553

6-1-17

Roberto & Sonia Rodriguez  
38 Clarkview Road  
New Windsor, NY 12553

6-1-26.3

Olympia Rossi  
52 Balmville Road  
Newburgh, NY 12550

4-3-18

HZ Development Partners  
27 Route 210  
Stony Point, NY 10980

6-1-18

Philip & Madeline Infante  
602 Union Avenue  
New Windsor, NY 12553

6-1-27

Americo & Rose Angeloni  
554 Temple Hill Road  
New Windsor, NY 12553

6-1-9

James & Frances Lego  
22 Clarkview Road  
New Windsor, NY 12553

6-1-19

Randy Davidson  
Maryann Rizzo  
604 Union Avenue  
New Windsor, NY 12553

6-1-29 & 6-1-30

DA Associates, LLC  
789 Little Britain Road  
New Windsor, NY 12553

6-1-31

Anthony, Laura & John Amodeo  
781 Little Britain Road  
New Windsor, NY 12553

6-1-33

Nicholas Sr. & Rose Ronsini  
544 Temple Hill Road  
New Windsor, NY 12553



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

January 6, 2004

Nicholas Ronsini, Jr.  
546 Temple Hill Road  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-01

Dear Mr. Ronsini:

This letter is to inform you that you have been placed on the January 12th, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

546 Temple Hill Road  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#15-2004**

01/07/2004

Ronsini, Jr. Nicholas A. *ZBA04-01*

Received \$ 50.00 for Zoning Board Fees, on 01/07/2004. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 1-6-04

FOR: ESCROW 04-01

FROM: NICHOLAS RONSINI, JR.

546 TEMPLE HILL ROAD

NEW WINDSOR, NY 12553

CHECK NUMBER: 828

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

NAME

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU





# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".**

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

RECEIVED  
TOWN OF NEW WINDSOR  
JAN - 5 2004  
ENGINEER & PLANNING

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\* \* MUST READ AND SIGN \* \***

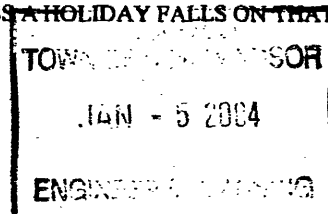
***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING.... (this charge is not deducted from your escrow posted).***

*Nicholas Roman*  
SIGNATURE

12-26-03  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

12-26-03

Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (845) 562-9024  
NICHOLAS RONSINI Fax Number: ( )  
(Name)  
546 TEMPLE HILL RD  
(Address)

II. **If Moving to New Address, please list forwarding address for return of escrow:**

Phone Number: ( )  
(Name) Fax Number: ( )  
(Address)

III. **Attorney:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

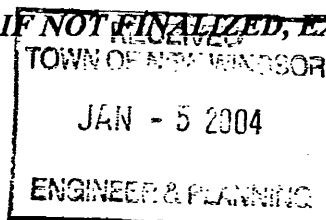
V. **Property Information:**

Zone: R-4 Property Address in Question: 546 TEMPLE HILL RD  
Lot Size: 2.134 ACRES Tax Map Number: Section 6 Block 1 Lot 32

- a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? 1985  
d. Has property been subdivided previously? No If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? ONLY THIS APPLICATION  
FOR VARIANCE

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE  
OF SUBMITTAL.**



**04-01**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

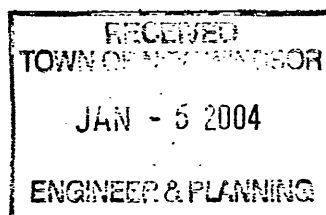
<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. St Front*		
Max. Bldg. Hgt. 15 FT.		22 FT
Min. Floor Area*		
Dev. Coverage*		
Floor Area Ration**		
Parking Area		

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



**04-01**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

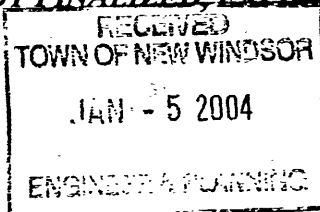
- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I NEED THE REQUESTED HEIGHT OF POLE BARN  
PEAK, SO AS TO HAVE REQUIRED HEIGHT TO STORE  
MY R.V. FIFTH WHEEL.  
WITHOUT THE REQUESTED HEIGHT OF PEAK, THE R.V.  
WILL NOT ACCESS FRONT DOORS.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



**04-01**

**COMPLETE THIS PAGE ☐**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

AREA AROUND POLE BARN WILL BE LANDSCAPED

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
  - ☐ One in the amount of \$ 300.00 or 500.00, (escrow)
  - ☐ One in the amount of \$ 50.00 or 150.00, (application fee)
  - ☐ One in the amount of \$ 25.00, (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29<sup>th</sup> day of December 2003.

Nicholas Ronsini

Owner's Signature (Notarized)

NICHOLAS RONSINI

Owner's Name (Please Print)

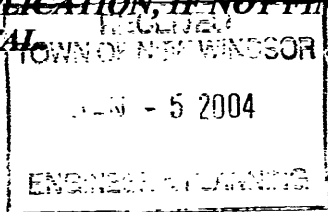
JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2004

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



04-01

COMPLETE THIS PAGE ☐